IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.18478 of 2006
LLOYDS FINANCE LTD. THRU.PANKAJ DESAI & ORS
Versus
STATE OF BIHAR & ANR
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5. 13.8.2008. This application under section 482 Cr.P.C. has been filed for quashing of the cognizance order dated 24.4.2003 passed by Shri Manoj Kumar-II, Judicial Magistrate, Ist Class, Patna in Complaint Case No.209© of 2003.

Heard the learned counsel for the petitioners. No one appears on behalf of opposite party no.2 in spite of service of notice.

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The submission of the learned counsel for the petitioner is that the entire amount in question has already been paid to the opposite party no.2 and in lieu of that memorandum of understanding has been executed by the opposite party no.2 showing full and final settlement. Annexure-11 is the memorandum of understanding executed by the opposite party no.2 Madhuri Pathak.

Considered the submission of the learned counsel for the petitioners. Perused Annexure-11. In view of the fact that in lieu

of final settlement of the account the opposite party no.2 has already executed a memorandum of understanding no purpose will be served to prosecute the petitioners further.

Accordingly, this application is allowed and the impugned order of cognizance is hereby quashed.

(Ghanshyam Prasad)

N.H./

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